

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

IN RE:) NO: 12-47206-399
) CHAPTER 13
Lisa Gerstner,)
)
Debtor.) Hearing Date: 12/2/15
) Hearing Time: 10:00 a.m.
) Location: St. Louis Courtroom 5 North

TRUSTEE'S RESPONSE TO MOTION TO INCUR DEBT

Comes now John V. LaBarge, Jr., Standing Chapter 13 Trustee,
and states as follows:

1. Debtor seeks to incur a home equity loan in the amount of \$28,445 so that she can complete her chapter 13 case in 12/2015.
2. In conjunction with the present motion to incur debt, Debtor filed a third amended plan which provides a 100% guarantee to non-priority unsecured creditors and calls for a lump sum payment of \$28,445 to be paid to the Trustee in 12/2015.
3. The Trustee has no objection to Debtor's motion to incur debt so long as the third amended plan is confirmed before Debtor incurs the debt.
 - a) Since Debtor is seeking to encumber non-exempt bankruptcy estate property with the loan, Debtor should first become legally obligated to pay 100% to non-priority unsecured creditors by obtaining a confirmation order for the third amended plan and its 100% guarantee.

Respectfully Submitted,

/s/ Joseph M. Wilson
John V. LaBarge, Jr.
Chapter 13 Trustee
Joseph M. Wilson
#123953 MO#51849
Attorney For Trustee
P.O. Box 430908
St. Louis, MO 63143
(314) 781-8100
(314) 781-8881 (fax)
E-Mail: trust33@ch13stl.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the above Trustee's Response was served this 6th day of November 2015, electronically via CM/ECF to:

Ghafoor, Cook & Associates
136 E. Walnut, Suite 300
Independence, MO 64050

The undersigned hereby certifies that the above Trustee's Response was served this 6th day of November 2015, by depositing same in the U.S. mail, postage pre-paid, addressed to:

Lisa Gerstner
66 Patricia Place
Fenton, MO 63026

/s/ Joseph M. Wilson